
**Testimony of
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Committee on Government Reform
Subcommittee on National Security, Emerging Threats and
International Relations
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Good morning, Mr. Chairman and members of the subcommittee. I appreciate this opportunity to meet with you today to report on the progress of the United States Postal Service in developing anthrax detection and notification protocols at our facilities.

Tragically, the mail was the vehicle for the first bioterrorist attack on our nation. This required a massive and coordinated response by the Postal Service – a response that was successful only with the help and support of so many others from all levels of government and the private sector.

Our experience has resulted in the development of policies, processes and the acquisition of technology that can limit the consequences of any future mail-related bioterrorist act. However, the Postal Service can act only within the scope of its mission. Ultimately, the best defense against bioterrorism is deterrence. Constructing additional defenses to the mail system can, of course, serve as a deterrent to future acts. But in limiting the use of the mail for such acts, future attacks may simply shift to other means.

While the postal system was selected to deliver anthrax in 2001, there are many other agents that can be delivered in many other ways. Bioterrorism is not just a Postal Service issue.

Considering my experience over the last year and a half, if there were to be a theme to my remarks, it would be “lessons learned”.

After the anthrax attacks of October 2001, the Postmaster General immediately pledged that the Postal Service would do all it could to limit the effects of any similar, future attack.

This was a situation never before encountered. While the Postal Service worked closely with – and relied upon – the healthcare experts during this crisis, the very uniqueness of the situation meant that there was only limited existing information available.

Ensuring the safety and security of our employees and customers was, and continues to be, our highest priority. We made every effort to move quickly to do this and to safeguard the mail.

At the national level, the Postal Service quickly realized the need to test and monitor our major mail processing facilities and set up a schedule to test more than 100 of these plants.

While the anthrax crisis affected the Postal Service in many locations throughout the nation, I will focus on the situation in Connecticut.

There were three phases to the anthrax situation in Connecticut. Let me go over the details of each phase.

Phase I began in mid-October, 2001, in response to the potential presence of anthrax throughout the Postal Service network. To help control this crisis, the Connecticut District Manager activated the District Crisis Command Center on Sunday, October 14, 2001. This included the Employee Safeguard Program, which began two days later.

This center managed the anthrax related incidents even before positive analytic results were discovered in the Southern Connecticut Processing and Distribution Center in Wallingford, Connecticut.

The fact was, throughout the nation, the Postal Service was responding to numerous reports of white powder in envelopes and on the mail. While these generally involved harmless substances innocently mailed or used in connection with the preparation of some mail, it was necessary that each incident be taken seriously.

Against a backdrop of real and potential threats, the Employee Safeguard Program was a vital tool in providing clear, consistent and accurate communications to employees through a single, reliable channel. This strategy was a critical element of the Connecticut District's success during the first phase of the crisis, helping to separate rumor and speculation from fact.

This was a significant positive step in controlling the crisis.

Augmenting the Employee Safeguard Program was the daily communication link with union and management association leadership. This provided another avenue of consistent messaging while building in a feedback channel for employee and union concerns.

As part of the phase 1 process, the Southern Connecticut Processing and Distribution Center manager immediately scheduled Town Hall meetings with all plant employees to explain the situation and process to be used for testing at the facility, as part of the nationwide testing plan.

The Plant Manager personally spoke at each meeting along with union leaders and medical personnel. Interpreters for the hearing impaired were also present to ensure everyone received the same information. Additionally, the Postal Service's Employee Assistance Program provided on-site assistance for anyone requesting services.

It was decided that all Town Hall meetings would be conducted with local management to help maintain a sense of trust and normalcy to the greatest extent possible.

The local managers were responsible for implementation of any operational changes, since they were in the best position to provide the information as it became available.

The Connecticut District Medical Officer was on site at each meeting to answer questions as they arose. This proved to be very beneficial as the answers came directly from a medical professional.

On October 26, 2001, we updated all employee phone numbers, addresses, and emergency contact phone numbers to ensure that our Connecticut District would be ready for any emergency.

The second phase of the Connecticut anthrax situation began when we learned that a Connecticut resident was suspected of having contracted inhalation anthrax on November 20, 2001. Mail received at the victim's home in Oxford would have passed first through our Southern Connecticut Processing and Distribution Center in Wallingford. We immediately began testing at the Wallingford facility, informing employees of the situation, and ensuring that antibiotics were provided to them.

This situation resulted in a series of three tests at the facility. The first, conducted by the Postal Service through a contractor, occurred on November 21. The results of the samples taken were negative for the presence of anthrax.

At its request, testing responsibility shifted to the CDC on November 25. We welcomed CDC's involvement and its efforts to continue more aggressive testing. While the results of CDC's initial test at the facility, conducted on November 25 and involving 60 samples, were also negative for anthrax, a subsequent test on November 28, and involving 212 samples, with six positive results spread over four pieces of equipment, Delivery Barcode Sorters 4, 6, 10 and 11.

Based on these results, the state's Chief Epidemiologist later identified 1.9 million colony-forming units of anthrax – about 3 million spores – in a sample collected from the heavily contaminated machine. A second sample identified 370 colony-forming units from another machine.

Antibiotic prophylaxis had already been provided to employees beginning on November 21, prior to the sampling, just as a precaution.

The four contaminated machines were immediately taken out of service, the areas isolated and cordoned off.

Our December 2, 2001 receipt of information showing that test results had detected the presence of bacillus anthracis at the Southern Connecticut Plant triggered a coordinated, multi-agency response that included additional testing, decontamination, medical prophylaxis of employees and extensive employee communication activities.

Employee unions were briefed on the sampling results and decontamination plans. The Plant Manager, the Medical Officer and union officials held employee Town Hall meetings on December 2 and December 3 to discuss the test results. Consulting with local health officials and the Occupational Safety and Health Administration – the best guidance available at the time – we were advised that our description of the qualitative nature of the contamination was reasonable.

From the earliest discovery that someone had used the mail for domestic terrorism, it has been our policy to consult with our union leadership and to share information with our employees and the public. This was true at the national level and at the local level.

As with the cases in Trenton, New York City, and Washington, D.C., Postal Service managers consulted with local union leadership along with local health officials and CDC to determine the proper course of action.

At the national level, union leadership received the same information in the same meetings at the same time that we did. At the local level, management and union leadership attended the same meetings with local public health officials and the CDC.

Throughout the entire process, these meetings were scheduled to allow for the delivery of all information available. Employees were allowed the necessary time for questions and answers regardless of how long it took.

As the anthrax event intensified, the Town Hall meetings became more frequent and included state and federal government leaders.

The Connecticut Department of Public Health, the CDC, the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency worked directly with Postal Service's Headquarters' Incident Command Center and the Connecticut Crisis Command Center to formulate a decontamination strategy for the four identified pieces of mail equipment.

On December 3, we began erecting containment structures over the contaminated equipment. Actual decontamination began the following day.

The Connecticut District also implemented contingency plans and continued medical prophylaxis plans in coordination with state and local public health officials.

Let me take a step back for a moment and touch on the issue of sampling, because it was – and remains – a complex and evolving process.

The approach taken by the Connecticut District from the beginning was consistent with the Postal Service's Interim Guidelines that were eventually issued on December 5, 2001, and were based on ongoing daily guidance from state and federal public health experts.

Until November 21, the Postal Service had used its own contractors to collect environmental samples. The CDC assumed this responsibility on November 25.

Postal Service contractors had used “dry swab” sampling because this technique was recommended by the nation’s public health laboratories. These laboratories were performing the analysis and felt this was the best sample collection means available to maximize laboratory resources.

When CDC begin its second round of testing at Wallingford, they, along with the Connecticut Department of Public Health, chose to undertake sampling using “wet wipe” and a newly developed High Efficiency Particulate Air filter vacuum process.

All parties recognized the value of these new sampling methods. In fact, when CDC issued nationwide sampling guidance in April 2002, it documented the state-of-the-art sampling strategies developed at the Southern Connecticut Processing and Distribution Center.

The third phase of the Connecticut anthrax situation began in February 2002, when union leaders at the Southern Connecticut plant requested a general cleanup that would include the “high bay” area of the facility. The “high bay” area is defined as the portions of the building starting about eight feet above the floor grade.

Local management reacted prudently and decided, first, to conduct testing of the “high bay” area. Their concern was that, without first testing for the presence of anthrax, cleaning could dislodge anthrax spores that might be present.

Postal Service Headquarters officials, working with the Connecticut District officials, developed a national policy addressing the cleaning procedures in postal facilities that were previously sampled for potential B. anthracis contamination.

These procedures were issued on February 28, 2002. Pre-planning began at that point for the testing of the Southern Connecticut facility “high bay” areas. The process included contingency plans for possible decontamination of the facility and relocation of employees to other facilities if necessary.

This phase involved all levels of Postal Service management from Headquarters to the facility level and the guidance of at least seven different federal and state public health and environmental agencies. They included the Occupational Safety and Health Administration, the Environmental Protection Agency, CDC, the National Institute for Occupational Safety and Health, the Connecticut Department of Public Health and the Connecticut Department of Environmental Protection.

Testing protocols utilized during this period were developed by the Postal Service and its contractors and reviewed by all of the stakeholder agencies mentioned above.

The resulting consensus testing protocols were released for use by the Postal Service's contractor in mid-April, 2002. Numerous separate teleconferences were held during this period to coordinate the testing, decontamination and medical prophylaxis issues.

The strong inter-agency working groups that had been developed in November and December of 2001 became an essential element of the third phase of the anthrax situation in Connecticut. These working relationships were critical to the successful response to this event since local public health officials and the nation's leading public health experts were continuously sharing information.

Using the consensus testing protocols, "high bay" sampling was conducted April 21, 2002. In preparation for the April 21st sampling, the Plant Manager made the decision to reduce operations at the facility to 12 hours on that day. The plant normally runs twenty-four hours per day.

This decision was reached after lengthy consultations with union representatives, state and federal health officials, including the Occupational Safety and Health Administration and CDC. The goal was to minimize the potential risk of accidentally disturbing dust that might have contained B. anthracis.

Employees were permitted to take leave for that day, revise their work schedule, work at another facility or work in a different area of the building.

Test results of the samples taken on April 21, 2002, revealed the presence of B. anthracis. This resulted in immediate notifications to affected unions and management associations, as well as facility employees.

This approach to communication and notification was consistent with the Postal Service's Interim Guidelines. It also complied with guidance provided by the Occupational Safety and Health Administration, CDC and the Connecticut Department of Public Health.

Both CDC and the Connecticut Department of Public Health indicated that no medical intervention was deemed necessary as a result of these tests because of the length of time since the suspected cross-contaminated letter passed through the facility and the fact that no employees had become ill.

You will recall, too, that facility employees were placed on antibiotics, as a protective measure, in November, 2001.

Again, our plans included erection of containment structures and decontamination. It was decided that employees would not be allowed to work in the affected area of the facility while containment structures for remediation were being built.

Some employees were relocated to alternate locations for the period between May 4 and May 18. Partial re-occupancy of the affected operations areas began on May 18th and full operations were restored by June 10th.

This conservative approach avoided the potential for employee exposure to re-aerosolized B. anthracis during the construction of the containment structure.

It should be noted that the facility's Health and Safety Plan implemented for the remediation process was prepared with guidance from on-site OSHA and NIOSH representatives who found that this was a model plan that could serve as a template for other affected sites.

Like so much that occurred during the anthrax crisis, actual decontamination of the "high bay" area had no precedent. It was uniquely shaped by the inter-agency guidance of the Occupational Safety and Health Administration, the CDC, the Environmental Protection Administration, and the Connecticut Department of Public Health. I cannot emphasize strongly enough the value of their cooperation, assistance and expertise in helping the Postal Service to protect its employees and the people we serve.

The decontamination protocols developed for remediation of the "high-bay" areas improved upon those used in other affected Postal Service facilities in three ways. First, they added increased contact times for bleach when used as a disinfectant. Second, they incorporated spray-misting within the containment structures and, finally, they resulted in ongoing air sampling outside the containment structures throughout the duration of the decontamination process.

These revised cleaning protocols were not only an improvement over earlier protocols approved by CDC, but they also complied with the Environmental Protection Agency's new Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) requirements governing the use of pesticide applications.

As I said, if my testimony today has a theme, it is "Lessons Learned."

As a result of our experience with "high bay" cleaning at the Wallingford facility, we have established specific procedures for the cleaning of all postal facility "high bay" areas.

The purpose is twofold: to significantly reduce the amount of dust and to limit the transmission of that dust in our facilities, thus minimizing the risk to our employees. Of course, employee safety and clear, effective communications remain our goal throughout the process.

We note, as did the General Accounting Office in its report on this incident, that none of the employees at the Wallingford facility became ill as a result of the anthrax contamination.

In fact, the General Accounting Office is on record as acknowledging that decisions made by the Postal Service relating to events that transpired at the Southern Connecticut facility were “understandable” given the challenging circumstances at the time, the advice received from public health officials, an ongoing criminal investigation and the uncertainties about the sampling methods used.

At the time, there were no guidelines and no designated regulatory agency for dealing with this type of situation. The Postal Service acted quickly and prudently to communicate pertinent information to its employees, relying upon the advice of public health experts.

We understand, however, that there are always opportunities for improvement in our future communication efforts regarding anthrax or other biohazards.

I assure you that our focus will remain on providing complete and accurate information to our employees as promptly as possible regarding any situation that may affect their health and safety.

The Postal Service recognizes the importance of releasing test results, including quantified results if available, to employees and others as quickly as possible. In communicating available test results, the testing methods used should be specified and any limitations of either the testing methods or the test results should be explained.

We also believe that this explanation should be handled in conjunction with the appropriate local health care experts.

The Postal Service will make every effort, as it did at Wallingford, to consult with appropriate federal, state and local agencies in deciding on appropriate communications to employees and others.

We are well aware of our obligation to release timely testing information to employees and the public. In the future we will be much clearer about the information we have and what it means.

With regard to the General Accounting Office's specific recommendations, the Postal Service is committed to working with the National Response Team – a coalition of 16 federal agencies with emergency responsibility for the United States – in making revisions to its Technical Assistance Document for anthrax response. The Postal Service became a member of the National Response Team as a result of our experience with anthrax.

The Postal Service fully realizes the challenges faced by the National Response Team in going forward on this issue. As revisions are made to the Technical Assistance Document, we will revise Postal Service guidelines in this area so that they are consistent.

With regard to concentration levels at the Wallingford facility, let me quote Bernard L. Ungar, Director, Physical Infrastructure Issues, for the General Accounting Office. He wrote to the Postmaster General regarding this issue on April 30th of this year. His response, in part, follows:

. . . press articles . . . said that the Southern Connecticut Processing and Distribution Center in Wallingford, Connecticut, (the Wallingford facility) had the highest concentration of anthrax among post offices in the nation.

Our report did not contain such a statement; nor did it contain data on anthrax contamination at all other postal facilities that were found to be have anthrax contamination around the fall of 2001.

. . . Because it was not within the scope of our review, we did not collect anthrax test result data or other information on anthrax testing from other postal facilities that had positive test results and were therefore not in a position to assess overall contamination levels in various other postal facilities, including the Brentwood facility . . .

We are hopeful that Mr. Ungar's words will help to clarify some of the misunderstanding that has surrounded this issue.

As part of today's hearing, the Subcommittee specifically requested that the Postal Service address the terms "validated" and "confirmed" as they appear in our anthrax guidelines. I am pleased to address this issue.

An agreement was implemented on November 6, 2001 with the Association of Public Health Laboratories (APHL) network and an APHL liaison with representatives from the four national contractors collecting the samples nationwide who were domiciled at our Incident Command Center.

A validation procedure was established between the APHL liaison and the lead contractor representatives. "Validation" involves three distinct activities: verification that the samples were taken; logging the samples under chain-of-custody procedures; and verification that the samples were taken according to the established laboratory protocols, including adherence to applicable quality assurance and quality control procedures and our guidelines for the locations involved.

A "confirmed" sample was a culture sample for which we had received a final, written report from the laboratory that the sample, based on quality assurance/quality control determinations, was either positive or negative for the presence of *B. anthracis*.

We recognize that these terms have resulted in some confusion. As a result, they will be eliminated in this context. However, we will maintain robust quality assurance and quality control procedures to ensure that we have the same level of accuracy and reliability for all future sampling and testing.

As we continue our efforts to emerge from the attacks of 2001, the Postal Service must also consider what “the lessons learned” could mean for the future. As part of the conference report for the Fiscal Year 2002 Department of Defense Appropriations bill, Congress required the Postal Service to prepare a comprehensive Emergency Preparedness Plan. We submitted that Plan to Congress on March 6, 2002 and provided an update last month.

Following submission of the Plan, Congress appropriated \$587 million through an Emergency Supplemental Appropriation to assist the Postal Service in responding to the attacks. Previously, the President came to our aid with \$175 million to help us protect our employees, our customers and the mail. We are grateful for this help.

There are four basic strategies to the plan:

- 1) Detect biohazardous materials introduced into the mail stream as soon as possible;
- 2) Contain biohazardous materials identified in the mail stream as soon as possible;
- 3) Neutralize biohazardous material found in the mail stream.
- 4) Deter the use of the mail as a tool for bioterrorist acts;

Deterrence, clearly, is the preferred, overall strategy. Successfully deterring the use of the mail as a vehicle for biohazards would minimize the need for detection, containment and neutralization. Similarly, successful detection, containment and neutralization can serve as a deterrent.

We recognize, of course, that threats involving the mail could involve a full spectrum of biological, chemical, explosive and radiological agents. With this in mind, we have updated a detailed threat assessment to review all threats that may be directed at the Postal Service or that may use the Postal Service as a vehicle. We have been working at all levels of the organization to develop integrated emergency management plans, including continuity of operations plans, to address these threats by protecting our employees and providing for the continued movement of the mail.

Of course, our experience to date has primarily involved biohazards. Our Emergency Management Plan notes that the greatest opportunities to prevent or limit the damage of covert nuclear, biological, chemical, or conventional explosive attacks exist during the first phases of the incident.

Therefore, our Emergency Preparedness Plan places a premium on threat identification, and providing protection to our employees and customers at the earliest feasible point in our mail processing system.

So, in implementing the Plan, the Postal Service is looking at a variety of process changes and technology initiatives that can be applied to the threat of biological, chemical and radiological hazards in the mail.

To that end, we have been testing bio-detection and filtration equipment for use at our automated mail processing centers.

In fact, since June of 2002, the Postal Service has been testing a biohazard detection system at the Baltimore Processing and Distribution Center. We have carefully reviewed its results and we are now confident that it is working successfully.

The Biohazard Detection System was developed for the Postal Service following consultations with the military, federal agencies, and other experts. The interagency work group that tested and evaluated the system design included: The United States Army Medical Research Institute of Infectious Diseases; The National Institute of Standards and Technology; The Department of Agriculture; and The Johns Hopkins Applied Physics Laboratory.

From October of 2001 to September 2002 more than 20 systems were tested.

Next month, we will begin a 30-day test of the System at 14 sites throughout the nation. The sites were chosen because they represent a wide variety of climates and environments. Sites include some rural areas which, because of the presence of livestock, may contain naturally occurring anthrax.

The system is installed on our Advanced Facer-Canceler System, which is the first physical pinch point in our processing system. Mail at this point is manipulated through a series of belts and rollers and arranged so that it is all facing a single direction so that the stamps can be cancelled and the postmark applied. It is at this point that powdered substances in the mail can be forced out into the surrounding air.

As the mail moves through a collection hood on the system, air is constantly sampled and drawn into a cabinet where any particles it contains are mixed with a liquid. The liquid is then injected into a cartridge which moves to a detection device where it is compared to a template of anthrax DNA. If there is a match, facility managers are notified, the facility is evacuated and a local emergency response plan is activated.

Communication with our employees and the community is a critical element of this plan. And, just as important is the coordination with local community first responders, like police, fire, rescue and public health.

The 14 test sites are: Lancaster, Pennsylvania; Midland, Texas; St. Petersburg, Tampa and Manasota, Florida; Dulles, Virginia; Los Angeles, California; Albany, New York; Tacoma, Washington; Kilmer, New Jersey; Cleveland, Ohio; Southern Maryland; Rockford, Illinois; and Pittsburgh, Pennsylvania.

The Postal Service has every confidence that these tests will be successful and we look forward to a nationwide rollout of the System to 282 mail processing facilities early next year.

We are also testing a ventilation and filtration system at our Cleveland processing plant. This provides the opportunity to contain potential biohazards in the mail as it moves through our processing operations. We are developing plans to expand this test to our Dulles and Merrifield processing facilities in Northern Virginia.

The viability of the Postal Service, and its value to the American people, is dependent upon an open and accessible system. In assessing and responding to potential threats, it is our intention to maintain an accessible postal system.

Since the anthrax attacks, the Postal Service has worked closely with the Office of Homeland Security and its successor, the Department of Homeland Security. We also appreciate the assistance we have received from the President's Office of Science and Technology Policy. Building upon our Emergency Preparedness Plan, we worked with Homeland Security in the development of a national Critical Infrastructure Plan.

The Office of Science Technology and Policy has established the Inter-Agency Working Group for the protection of vulnerable systems, a group on which I sit, with specific responsibility for the Mail and Package Working Group.

This group is evaluating existing technology, as well as providing guidance as to where research and development efforts should be best directed.

We also continue to coordinate with all appropriate agencies about mail security to assure the safety of America's mail system.

To that end, we would be pleased to work with this Subcommittee in any way possible to preserve the security and the value of the United States mail and protect the safety of our employees and all Americans.

There is one other issue I'd like to raise: Indemnification.

According to the General Accounting Office, both insurers and reinsurers have determined that terrorism is not an insurable risk at this time, and they could not afford to continue providing coverage for potential terrorism losses.

The Administration and Congress provided some financial assistance to the Postal Service to decontaminate facilities and to purchase equipment to provide safety to employees. While we are working with the Department of Homeland Security on this issue, the indemnification of contractors has been a significant obstacle in the cleanup of the Washington and Trenton mail plants, as well as the purchase of biohazard detection equipment.

As the Postal Service moves forward to secure biohazard detection systems, protective devices, and mail filtration and sanitation equipment, potential suppliers of some of this equipment have been unwilling to offer essential products and services unless they are indemnified against claims arising out of acts of terrorism.

The Postal Service strongly supports either legislation or an executive order that would allow the Postal Service to indemnify its contractors in the same manner as other federal agencies.

The Postal Service needs to enable contractors, who are providing anti-terrorism goods and services, to obtain appropriate liability insurance.

The American public supports, and expects, a safe, secure, and sound Postal Service.

Experience has also shown that the Postal Service can be used as a tool of terrorism. In the event of another catastrophic occurrence, the Postal Service could be faced with a potentially crippling liability, despite its unprecedented efforts to save lives.

Indemnification is critical to the protection of the mailing public and the more than 700,000 postal employees who serve them.

In conclusion, we take all these issues very seriously. And let me emphasize again that the tests we conducted at the Wallingford plant relied upon the best expert knowledge available at the time.

That knowledge base evolved and became more refined over time, as we became more familiar with the nature of the biohazard we were dealing with.

We will continue to coordinate with all appropriate agencies to assure the safety of our employees and local residents. And we will continue to share information with those employees and local residents as it becomes available.

One final note: as I mentioned earlier, the anthrax attacks of 2001 happened to use the United States Postal Service as the vehicle of the attack. Of course, we will continue to develop and implement system defenses in our efforts to limit the potential consequences of any future, similar attack using the mail. The greater our success in this area, the less likely it is that the postal system would be an attractive vehicle for bioterrorist acts. That would be welcome for the Postal Service, its employees and the people it serves. But it could lead future terrorists to explore other opportunities to disseminate biohazards. And there is no reason to believe that another bioterrorist would choose the same delivery vehicle or the same biohazard.

I cannot emphasize strongly enough that bioterrorism is not just a Postal Service issue. It is one that requires a strong and coordinated national response.

Perhaps the most valuable lesson I have learned through my experience with this issue is that deterrence is infinitely preferable to reacting after the system has been breached. No one – certainly not our employees and certainly not our customers – should be forced to pay so high a price.

Thank you, Mr. Chairman. I would be happy to address any questions you may have.

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